

UNITED STATES OF AMERICA :
 :
 : 1:14CR39-3
 v. :
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 :
 INTERNATIONAL LABOR MANAGEMENT :
 CORPORATION :

NOW COMES the United States, by and through Ripley Rand, United States Attorney for the Middle District of North Carolina, and respectfully submits the United States' Motion for Issuance of an Order of Forfeiture in the above-styled case. In support thereof, the United States sets forth the following:

1. On January 31, 2014, a federal grand jury sitting in the Middle District of North Carolina returned an Indictment against the defendant, INTERNATIONAL LABOR MANAGEMENT CORPORATION, which charged it in Counts Two through Thirty-Six with violations of Title 8, United States Code, Section 1324(a)(1)(A)(iv), (a)(1)(A)(v)(II) and (a)(1)(B)(i), encouraging and inducing aliens to enter and reside in the United States for commercial advantage or private financial gain; which in Counts Thirty-Seven through Forty charged it with violations of Title 18, United States Code, Section 1546(a), obtaining visas by

fraud; and which in Count Forty-One charged it with a violation of Title 18, United States Code, Section 1957, engaging in monetary transactions with criminal proceeds.

2. The Indictment further sought the forfeiture of any conveyance, including any vessel, vehicle, or aircraft that has been or is being used in the commission of the violations of which the defendant is convicted; and any property, real or personal, that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense of which the defendant is convicted, or that is used to facilitate, or is intended to be used to facilitate, the commission of the offense of which the defendant is convicted. The Indictment further alleged that the property to be forfeited could include a money judgment equal to not less than \$1,120,000.00 in U.S. currency.

3. On July 31, 2014, the defendant, INTERNATIONAL LABOR MANAGEMENT CORPORATION, entered a plea of guilty to Counts Two through Forty-One of the Indictment and the court accepted the plea.

4. The defendant, INTERATIONAL LABOR MANAGEMENT CORPORATION, is subject to and consented to the entry of a forfeiture money judgment against it in the amount of One Million One Hundred Twenty Thousand and 00/100 Dollars

(\$1,120,000.00), in that such sum constitutes proceeds derived from the criminal violations to which it has pled guilty.

5. The United States has not, as of this date, identified specific assets belonging solely to the defendant that were derived from or facilitated the offense for which the defendant has pled guilty.

6. Accordingly, the United States seeks the entry of an Order of Forfeiture consisting of a personal money judgment against the defendant in the amount of One Million One Hundred Twenty Thousand and 00/100 Dollars (\$1,120,000.00). The defendant has surrendered \$290,000.00 to the United States, which will be applied to the forfeiture judgment, and is expected to provide additional funds from liquidation of the business if and when they become available.

7. The entry of an Order of Forfeiture in the form of a personal money judgment is specifically authorized by Rule 32.2(b) of the Federal Rules of Criminal Procedure. Such orders become final as to the defendant at sentencing or at any time before sentencing if the defendant consents.

8. Pursuant to Rule 32.2(c)(1), no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment.

WHEREFORE, by virtue of the guilty plea and the determination of the amount of money derived from the offense for which the defendant has been convicted, a money judgment should be entered against the defendant.

Accordingly, the United States respectfully requests that this Court enter an Order of Forfeiture as proposed in the attached Order.

This the 27th day of October, 2014.

Respectfully submitted,

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United States Attorney

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